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October 16, 2014

VIA Overnight Mail

Ms. Bonnie Hriczko  
Removal action Branch  
U.S. Environmental Protection Agency  
2890 Woodbine Avenue  
Edison, NJ 08837

**RE: Request for Information Pursuant to §104 of CERCLA  
Superior Barrel & Drum Site, Elk, Gloucester County, NJ**

Dear Ms. Hriczko:

On behalf of Coating Development Group, Inc., we present the following timely responses to U.S. EPA's August 27, 2014 Request for Information Pursuant to §104 of CERCLA for the above-referenced site. Please recall that you granted an extension for the date of reply by email to counsel of October 17.

Enclosed please find a copy of the 17 requests, for your convenience, as well as copies of documents which are responsive to some of the request.

Responses of Coating Development Group, Inc. to 104(e) Requests:

1. a) Coating Development Group, Inc. ("CDG")
  - b) Pennsylvania Corporation
  - c) Richard T. Greene, President, Chairman of the Board, CEO  
401 Moylan Ave., Media, PA 19063
  - d) Frank W. Daly, Esquire and Michael D. Fiorentino, Esquire  
110 W. Front Street                      42 E. 2<sup>nd</sup> Street  
P.O. Box 199                                  Media, PA 19063  
Media, PA 19063-0199
  - e) N/A



- f) Pennsylvania, September 7, 1989. There is no agent required for service of process in Pennsylvania. Nor is any agent required in New Jersey as CDG conducts no business in New Jersey.
- g) N/A
- h) N/A
2. Yes
3. a) CDG has only one location, 2823 E. Schiller St., Philadelphia, PA 19134. The facility is a formulator and manufacturer of paint, varnish, lacquer, stain, anti-corrosion grease. The SIC code is 2851.
- b) CDG purchased empty re-conditioned drums from SBD; CDG sold empty drums to SBD, or the same were removed by SBD for no payment. *CDG never paid SBD for the removal of any drum.*
- c) There are no written contracts, agreements, or other arrangements between CDG and SBD as all such arrangements were oral.
- d) See attached copy of EPA form 8700-12A (4-80) for EPA I.D. Number PAD987281342.
- e) EPA I.D. Number PAD987281342
4. Yes.
5. a) See copies of invoices and related documents attached for dates of transactions, number and types of containers involved in each transaction from November 2002 to March 4, 2011, when the final transaction between CDG and SBD took place. All transactions were made at the sole company facility, located at 2823 E. Schiller St., Philadelphia, PA 19134. The intended purpose of each transaction was to purchase empty re-conditioned drums from SBD and sell empty drums to SBD, or allow their removal by SBD, gratis. CDG has a 10-year document retention policy for those documents which are not required by law to be retained for longer periods. The company periodically reviews its document files and disposes of the non-required documents that are more than 10 years old. In accordance with its policy, the company disposed of all of the invoices, purchase orders and other documents relating to purchases of drums from SBD, and sale of empty drums to SBD prior to November, 2002. Accordingly CDG no longer has any such documents involving transactions with SBD prior to November, 2002.
- b) See attached copies of invoices and related documents as attached in response to 5 a) above.

c) Richard T. Greene, Charles E. Robbins, William H. Dengler, and Joseph LaFountain. 2823 E. Schiller St., Philadelphia, PA 19134.

Paul LaFountain: Address and number: 855 Boundary Road, Woodbury Heights, NJ 08096; 609-458-3270; No longer employed by CDG.

Leonard Wilcox, former employee, present whereabouts unknown. Last known address is 6026 Delden Street, Philadelphia, PA 19149. Last known phone # 215-288-0150

6. a) The facility is used for the formulation and manufacture of paint, varnish, lacquer, stain, anti-corrosion grease and has been operating as such from 1989 to the present.

6.b) - g) CDG objects to the scope of these information requests which impose an undue burden. Due to the nature of its business operations as described in 6a and the fact that it has been in business for 25 years, CDG would have used or sampled several hundred different chemicals as raw materials for product formulation and/or manufacture in its operations over this period. CDG has no practical method to determine the identity of all of these chemicals which were used in production and those which merely passed through the company's lab as a sample. CDG is a small business with only 11 employees and approximately \$1 million in annual revenue derived from coating formulation and manufacture at the facility. The identification and associated production requested would require CDG to devote hundreds if not thousands of staff hours to provide this information and therefore constitutes an undue economic hardship.

Notwithstanding this objection and without intending to waive same, CDG responds as follows:

b) - g) Through diligent efforts CDG has identified approximately 70 chemicals used as raw materials that came to CDG in drums. Those chemicals have been provided on a list which is attached and the MSDS for each of these chemicals is also attached.

d) CDG is aware of the use of the following solvents used at its facility for cleaning equipment or machinery: acetone, methyl-ethyl-ketone, toluene, xylene, mineral spirits,

e) The facility does generate a limited amount of hazardous waste, but these waste streams are disposed of at designated facilities, arranged by Greenleaf Environmental with transportation by Cycle Chem to appropriate designated facilities. CDG has retained records demonstrating such disposition.

CDG reserves the right to supplement these responses.

7. Yes.

7 (a)-(c) CDG objects to the scope of these information requests which impose an undue burden. Due to the nature of its business operations as described in 6a and the fact that it

has been in business for 25 years, CDG would have used or sampled several hundred different chemicals as raw materials for product formulation and/or manufacture in its operations over this period. CDG has no practical method to determine the identity of all of these chemicals which were used in production and those which merely passed through the company's lab as a sample. CDG is a small business with only 11 employees and approximately \$1 million in annual revenue derived from coating formulation and manufacture at the facility. The identification and associated production requested would require CDG to devote hundreds if not thousands of staff hours to provide this information and therefore constitutes an undue economic hardship.

Notwithstanding this objection and without intending to waive same, CDG responds as follows:

7.a) See the list of approximately 70 chemicals provided in response to #6 above. With regard to the data sought for each material, in addition to the undue burden imposed, such information is unknown and unknowable for data points such as volume and weight as only "RCRA empty" quantities, if any, would have been present in the containers, but such residue was not measured at the time of the transactions beyond a certification or observation that such containers were RCRA empty.

7.b) Investigation into the presence of any such documents has not been completed due to the undue burden imposed;

c) Copies of approximately 70 MSDS are provided.

8. Yes.

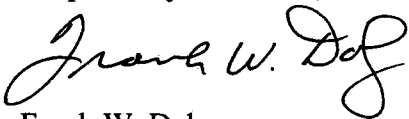
9. a)-c) CDG objects to the scope of these information requests which impose an undue burden. Due to the nature of its business operations as described in 6a and the fact that it has been in business for 25 years, CDG would have used or sampled several hundred different chemicals as raw materials for product formulation and/or manufacture in its operations over this period. CDG has no practical method to determine the identity of all of these chemicals which were used in production and those which merely passed through the company's lab as a sample. CDG is a small business with only 11 employees and approximately \$1 million in annual revenue derived from coating formulation and manufacture at the facility. The identification and associated production requested would require CDG to devote hundreds if not thousands of staff hours to provide this information and therefore constitutes an undue economic hardship.

Notwithstanding this objection and without intending to waive same, CDG responds as follows:

9. a) See the list of approximately 70 chemicals provided in response to #6 above. With regard to the data sought for each material, in addition to the undue burden imposed, such information is unknown and unknowable for data points such as volume and weight as only "RCRA empty" quantities, if any, would have been present in the containers, but such residue was not measured at the time of the transactions beyond a certification or observation that such containers were RCRA empty.
- b) Investigation into the presence of any such documents has not been completed due to the undue burden imposed;
- c) Copies of approximately 70 MSDS are provided.
10. Yes.
11. On occasion, new drums could be damaged on the factory floor prior to being used to contain any material, and such drums would be delivered back to SBD.
12. Yes.
13. Draining only, no chemicals used for cleaning or treating.
14. No third party transporters were used in transactions between CDG and SBD.
15. Richard Greene, Charles Robbins, and Mark Kochanowicz, General Manager, CDG, for all questions. Joseph LaFountain, Plant Manager, was consulted on a few questions. In addition the undersigned attorneys were consulted in preparation of these responses.
16. None.
17. None known.

CDG reserves the right to supplement or amend any response or objections by the undersigned.

Respectfully submitted,



Frank W. Daly



Michael D. Fiorentino

Cc: William Tucker, Esq.

Richard T. Greene.

# CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

Superior Barrel and Drum Site, Elk, Gloucester, New Jersey

STATE OF PENNSYLVANIA :

COUNTY OF DELAWARE :

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information. I believe that the submitted is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

RICHARD T. GREENE

(Name) (Print or type)

President


(Title) (Print or Type)



SIGNATURE

Sworn to before me this 16<sup>th</sup>

day of October, 2014



Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Scott F. Waterman, Notary Public

Media Boro, Delaware County

My Commission Expires March 17, 2015

## **REQUEST FOR INFORMATION**

1.
  - a. State the correct legal name of the Company.
  - b. Identify the legal status of the Company (corporation, partnership, specify if other) and the state in which the Company was organized.
  - c. State the names and addresses of the President, Chairman of the Board and the Chief Executive Officer of the Company.
  - d. Provide the name of an attorney, if any, who will serve as the legal contact for your Company in this matter.
  - e. If your Company is a subsidiary or affiliate of another corporation, or has subsidiaries itself, identify each such entity and its relationship to your Company.
  - f. Identify the state and date of incorporation and the agent for service of process in the State of incorporation and in the State of New Jersey for your Company and for each entity identified in your response to Question 1(e), above.
  - g. If the Company is a successor to, or has been succeeded by another entity, identify each such other entity and provide the same information requested above for each.
  - h. If the Company transacted business with SBD in the name of an entity not already disclosed above, give the name of such entity and state its relationship to the Company.
2. State whether any of your Company's facilities has ever conducted any business transactions of any nature with Superior Barrel and Drum Company, Inc. ("SBD"), including but not limited to the sale, purchase, removal, disposal, treatment, or storage of any barrels, drums, totes, overpacks or other containers (hereinafter collectively referred to as "Containers"). Answer: \_\_\_ YES; \_\_\_ NO.
3. If your answer to Question 2, above, is yes, identify each Company facility involved in all such transactions and provide the following information for each facility:
  - a. State the name and address of each facility and describe each facility's operations;

- b. For each facility, describe the nature of business relationship between that facility and SBD, including the nature of services rendered or products sold;
  - c. Provide copies of any contracts, agreements or other arrangements between that facility and SBD;
  - d. Provide copies of all permits issued pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq. ("RCRA") for each facility; and
  - e. Identify the EPA RCRA identification number, if any, for each facility.
4. If your answer to Question 2, above, is yes, did any of the transactions between any Company facility and SBD involve the transport or shipment of any Containers from that facility to SBD by any person, regardless of whether such Containers contained no material whatsoever, contained more or less than one inch of material, or may have been described as RCRA "empty"? Answer:      YES;      NO.
5. If your answer to Question 4, above, is yes, for each such transaction provide the following information:
- a. Identify the specific dates of each transaction, the Company facility involved with each transaction, the intended purpose of each transaction, and the number and type of Containers involved in each transaction;
  - b. Provide copies of all documents relating in any way to each transaction, including but not limited to copies of delivery receipts, invoices, bills of lading, purchase orders or payment devices; and
  - c. Identify all persons who might have knowledge of the transaction or who had any responsibility regarding the transaction.
6. For each Company facility identified in response to Question 5, above, for the time period from 1974 to 2013:
- a. Describe that facility's operations;
  - b. Identify all chemicals used as raw materials in that facility's operations;
  - c. Identify all chemicals contained in products produced at that facility;
  - d. Identify all chemicals used to clean equipment or machinery at that facility;



- e. Identify the nature and chemical constituents of all waste streams at that facility and their disposition;
  - f. Identify any other chemicals used at that facility and describe their use; and
  - g. Provide all Material Safety Data Sheets (MSDS) for all chemicals listed in answer to this Question 6.
7. Was any Container identified in response to Question 5, above, previously used to contain any material? Answer: ☐ YES; ☐ No. If your answer is yes, for each such Container provide the following:
- a. Identify each material previously contained within such Container, including its specific chemical constituents, physical state, quantity by volume and weight, and hazardous and other characteristics;
  - b. Provide all written analyses or other documents prepared for or relating to each such material which may be in the custody or control of the Company; and
  - c. Provide all material safety data sheets (MSDS) relating to each such material.
8. Did any Container that was the subject of any transaction identified in response to Question 5, above—contain any material whatever, in any quantity, at the time of its transport or shipment from the Company facility, regardless of whether or not it is or was ever alleged to be "empty" under RCRA, or alleged to contain less than one inch of material? Answer: ☐ YES; ☐ NO.
9. If your answer to Question 8 is yes, for each Container that contained any material whatever, in any quantity, at the time of its transport or shipment from the Company facility:
- a. Identify each such material, including its specific chemical constituent(s), physical state, quantity by volume and weight, and hazardous and other characteristics;
  - b. Provide all written analyses or other documents prepared for or relating to each such material which may be in the custody or control of the Company; and
  - c. Provide all material safety data sheets (MSDS) relating to each such material.

10. Do you contend that any Container that was the subject of any transaction identified in response to Question 5, above, did NOT contain any material whatever, in any quantity, at the time of its transport or shipment from the Company facility? Answer: ☐ YES; ☐ NO.
11. If your answer to Question 10 is yes, for each such Container provide all facts upon which you rely for your assertion.
12. For those transactions identified in response to Question 5, was any treatment or cleaning of any Container performed by any person prior to the time that the Container was transported or shipped from the Company to SBD, including any process or procedure by which the Container was emptied, drained, wiped or otherwise cleaned? Answer: ☐ YES; ☐ NO.
13. If your answer to Question 12, above, is yes, for each such Container provide a detailed description of all such treatment, including any emptying, draining, wiping or cleaning, and identify all chemicals used in such treatment or cleaning.
14. For each transaction identified in response to Question 5 involving any third-party transporter, identify each such transporter, including the name and address of such transporter, and identify in which of the transactions such transporter acted.
15. Identify each person consulted in responding to these questions and all questions on which he or she was consulted.
16. Identify any other person or entity (e.g., individual, company, partnership, etc.) having knowledge of facts relating to the questions which are the subject of this inquiry. For each such person that you identify, provide the name, address, and telephone number of that person, and the basis of your belief that he or she has such knowledge. For past and present employees, include their job title(s) and a description of the responsibilities.
17. Supply any additional information or documents that may be relevant or useful to identify other sources who disposed of or transported Containers to the Site.

# SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Coating Development Group, Inc.  
Schiller & Allen Streets  
Philadelphia, PA 19134  
Attn: Richard T. Greene, President

8SEP 12:54PM

## 2. Article Number

(Transfer from service label)

PS Form 3811, July 2013

# COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

*Richard T. Greene*

☒ Agent

☐ Addressee

## B. Received by: (Printed Name)

*R T Greene*

## C. Date of Delivery

*9-2-14*

## D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail®

☐ Priority Mail Express™

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ Collect on Delivery

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

7013 1090 0002 2838 0390

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Permit No. G-10

- Sender: Please print your name, address, and ZIP+4® in this box•

Bonnie Hriczko  
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Removal Action Branch-(MS-211)  
Building 205  
2890 Woodbridge Avenue  
Edison, New Jersey 08837-3679

